

UNITED STATES DISTRICT COURT
DISTRICT OF DELAWARE

PARKER PELHAM, Individually and On Behalf of
All Others Similarly Situated,

Plaintiff,

vs.

VBIT TECHNOLOGIES CORP., VBIT MINING
LLC, ADVANCED MINING GROUP, DANH CONG
VO A/K/A DON VO, PHUONG D VO A/K/A KATIE
VO, SEAN TU, JIN GAO, LILLIAN ZHAO, AND
JOHN DOE INDIVIDUALS 1-10, AND DOE
COMPANIES 1-10,

Defendants.

C.A. No.: 23-cv-162-CFC-SRF

CLASS ACTION

**[PROPOSED] ORDER APPOINTING LEAD PLAINTIFF AND APPROVING LEAD
COUNSEL**

WHEREAS, the above-captioned securities class action has been filed against VBit Technologies Corp., VBit Mining LLC, Advanced Mining Group, and certain of its officers and directors (collectively “Defendants”) alleging claims under Section 27 of the Securities Act of 1933, 15 U.S.C. § 77z-1(a)(3)(B), Section 21D of the Securities and Exchange Act of 1934, 15 U.S.C. § 78u-4(a)(3)(B), and Rule 10b-5 promulgated thereunder;

WHEREAS, pursuant to the Private Securities Litigation Reform Act of 1995 (“PSLRA”), 15 U.S.C. § 77z-1(a)(3)(A)(i), 15 U.S.C. § 78u-4(a)(3)(A)(i), on January 10, 2023, a notice was issued to potential class members of the action informing them of, *inter alia*, their right to move to serve as lead plaintiff within 60 days of the date of the issuance of said notice;

WHEREAS, on April 17, 2023, movant Alisha McKellar a/k/a Alisha Lee (“Movant”) timely moved the Court for appointment as lead plaintiff and to approve her selection of counsel;

WHEREAS, the PSLRA, provides, *inter alia*, that the most-adequate plaintiff to serve as lead plaintiff is the person or group of persons that has either filed a complaint or has made a motion in response to a notice, and has the largest financial interest in the relief sought by the Class and satisfies the pertinent requirements of Fed. R. Civ. P. 23; and

WHEREAS, the Court finding that Movant has the largest financial interest in this action and *prima facie* satisfies the typicality and adequacy requirements of Fed. R. Civ. P. 23. See 15 U.S.C. § 77z-1(a)(3)(B)(iii)(I), 15 U.S.C. § 78u-4(a)(3)(B)(iii)(I).

IT IS HEREBY ORDERED THAT:

APPOINTMENT OF LEAD PLAINTIFF AND LEAD COUNSEL

1. Pursuant to Section 27 of the Securities Act of 1933, 15 U.S.C. § 77z-1(a)(3)(B), and 21D(a)(3)(B) of the Securities and Exchange Act of 1934, 15 U.S.C. §78u-4(a)(3)(B), Movant is appointed as Lead Plaintiff of the class, as Movant has the largest financial interest in this litigation and otherwise satisfies the requirements of Fed. R. Civ. P. 23.

2. Movant's choice of counsel is approved, and accordingly, The Rosen Law Firm, P.A. is appointed as Lead Counsel and Farnan LLP is appointed Liaison Counsel.

3. Lead Counsel, after being appointed by the Court, shall manage the prosecution of this litigation. Lead Counsel is to avoid duplicative or unproductive activities and is hereby vested by the Court with the responsibilities that include, without limitation, the following: (1) to prepare all pleadings; (2) to direct and coordinate the briefing and arguing of motions in accordance with the schedules set by the orders and rules of this Court; (3) to initiate and direct discovery; (4) to prepare the case for trial; and (5) to engage in settlement negotiations on behalf of Lead Plaintiff and the Class.

SO ORDERED:

Dated _____, 2023

THE HONORABLE COLM F. CONNOLLY
U.S. CHIEF JUDGE